

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

NELLA MANKO,

**Plaintiff,**

**CIVIL ACTION  
No. 20-CV-09928**

**-against-**

**LENOX HILL HOSPITAL; DANA A. MANNOR, M.D.;  
NEW YORK STATE UNIFIED COURT SYSTEM;  
NEW YORK STATE COURT OF APPEALS;  
DECORATO COHEN SHEEHAN & FEDERICO LLP;  
GARSON DECORATO & COHEN, LLP; DECORATO & COHEN  
LLP; GARSON, GERSPACH, DECORATO & COHEN, LLP;  
LENOX HILL ANESTHESIOLOGY PLLC; "Anesthesiologist"  
(a fictitious name); L.H. RADIOLOGISTS, P.C.;  
MATTHEW B. LUBIN, M.D.; ALAN TIKOTSKY, M.D.;  
ELTON STRAUSS, M.D.; THE MOUNT SINAI HOSPITAL;  
THE MOUNT SINAI MEDICAL CENTER, INC.;  
BENJAMIN A. NACHAMIE, M.D.; HERBERT S. SHERRY, M.D;  
IRINA AVRUCHEVSKAYA, M.D.; SUSAN LEVIT, M.D.;  
AARONSON RAPPAPORT FEINSTEIN & DEUTSCH, LLP;  
KAUFMAN BORGEEST & RYAN LLP; C. CARDILLO, P.C.;  
BERNARD H. BROOME, ESQ.; CARDILLO & KEYSER, P.C.;  
LAW OFFICE OF BERNARD H. BROOME, PLLC;  
NEW YORK CITY TRANSIT AUTHORITY; MEDREVIEW, INC.;  
PROFESSIONAL EVALUATION GROUP, INC.;  
CITY OF NEW YORK; LAW OFFICES OF DAVID A. GABAY;  
DAVID A. GABAY, ESQ.; GABAY LAW GROUP P.C.; INSOURCE  
STRATEGIES, INC.; LAW OFFICES OF DAVID A. GABAY, P.C.;  
GORDON & SILBER, P.C.; RAWLINGS COMPANY, LLC;  
THE STATE OF NEW YORK, ET AL.,  
**Defendants.****

**REQUEST  
TO WAIVE  
SERVICE OF  
A SUMMONS**

NELLA MANKO, Plaintiff, Pro Se, is requesting to waive service of the Summons in this action. Enclosed are the following: (1) a copy of the Complaint; (2) two copies of waiver form; and (3) a prepaid means of returning one signed copy of the form to me.


Dated: Brooklyn, NY  
December 08, 2020

*Nella Manko*  
\_\_\_\_\_  
NELLA MANKO, Plaintiff, Pro Se,  
1735 East 13th Street, Apt. 3K, Brooklyn, NY 11229  
Tel. No.: (718) 375-9067

To: NEW YORK STATE UNIFIED COURT SYSTEM and THE STATE OF NEW YORK  
ATTORNEY GENERAL OFFICE,  
28 Liberty Street, 16th Floor,  
New York, New York 10005

# UNITED STATES DISTRICT COURT

for the

Southern District of New York 

NELLA MANKO,

*Plaintiff*

v.

LENOX HILL HOSPITAL, ET AL.,

*Defendant*

Civil Action No. 20-CV-09928

## WAIVER OF THE SERVICE OF SUMMONS

To: NELLA MANKO

*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from \_\_\_\_\_, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of the attorney or unrepresented party*

\_\_\_\_\_  
*Printed name of party waiving service of summons*

\_\_\_\_\_  
*Printed name*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*E-mail address*

\_\_\_\_\_  
*Telephone number*

### Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NELLA MANKO,

Plaintiff,

-against-

LENOX HILL HOSPITAL; DANA A. MANNOR, M.D.;  
NEW YORK STATE UNIFIED COURT SYSTEM;  
NEW YORK STATE COURT OF APPEALS;  
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LLP; GARSON, GERSPACH, DECORATO & COHEN, LLP;  
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(a fictitious name); L.H. RADIOLOGISTS, P.C.;  
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ELTON STRAUSS, M.D.; THE MOUNT SINAI HOSPITAL;  
THE MOUNT SINAI MEDICAL CENTER, INC.;  
BENJAMIN A. NACHAMIE, M.D.; HERBERT S. SHERRY, M.D;  
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KAUFMAN BORGEEST & RYAN LLP; C. CARDILLO, P.C.;  
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PROFESSIONAL EVALUATION GROUP, INC.;  
CITY OF NEW YORK; LAW OFFICES OF DAVID A. GABAY;  
DAVID A. GABAY, ESQ.; GABAY LAW GROUP P.C.; INSOURCE  
STRATEGIES, INC.; LAW OFFICES OF DAVID A. GABAY, P.C.;  
GORDON & SILBER, P.C.; RAWLINGS COMPANY, LLC;  
APPELLATE DIVISION OF THE N.Y.S. SUPREME COURT  
(SECOND DEPARTMENT); APPELLATE DIVISION OF THE  
N.Y.S. SUPREME COURT (FIRST DEPARTMENT);  
THE STATE OF NEW YORK,

Defendants.

CIVIL ACTION

No. 20-CV-09928

VERIFIED  
COMPLAINT

JURY TRIAL  
DEMANDED

PRO SE FILING -  
NEW CASE -  
FEE PAID

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U.S. DISTRICT COURT SDNY

PLAINTIFF, PRO SE, complaining of the Defendants as and for her Complaint alleges and shows to the Court as follows:

**ABSTRACT**

Plaintiff is suing for damages and relief. Plaintiff requests relief to reverse all Court of Appeals orders and all Appellate Divisions orders related to all plaintiff's Supreme Court cases (including (but not limiting) cases: Kings Co. Index No. 30972/2004, New York Co. Index Nos.: 113306/2006, 109296/2007), including (but not limiting) orders: Court of Appeals order, dated November 20, 2017, SSD No. 61; Court of Appeals order, dated November 20, 2017, Mo. No. 2017-746; Court of Appeals order, dated November 20, 2017, Mo. No. 2017-847).



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